

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	W	ATTORNEY DOCKET NO.
087951,201	10/14/97	WOODARD		334700

IM62/0515

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EXAMINER  
BOROSHENK, AART UNIT  
1764

05/15/00

DATE MAILED:

15

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Advisory Action**

Application No. <b>08/951,201</b>	Applicant(s) <b>Woodard et al</b>
Examiner <b>Alxa Doroshenk</b>	Group Art Unit <b>1764</b>

## THE PERIOD FOR RESPONSE: [check only a) or b)]

- a)  expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b)  expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- Appellant's Brief is due two months from the date of the Notice of Appeal filed on Apr 18, 2000 (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

**Applicant's response to the final rejection, filed on Apr 18, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:**

- The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
- they raise new issues that would require further consideration and/or search. (See note below).
- they raise the issue of new matter. (See note below).
- they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Applicant's response has overcome the following rejection(s):

35 USC 112, second paragraph

- Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

- The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: None

Claims objected to: None

Claims rejected: 1-6

- The proposed drawing correction filed on Apr 18, 2000  has  has not been approved by the Examiner.

- Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

- Other Response to arguments attached hereto.

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed April 18, 2000, paper number 14, have been fully considered but they are not persuasive.

### **Drawings**

The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on April 18, 2000 have been approved.

### **35 USC 112**

The 35 USC 112, second paragraph rejection of claim 4 is withdrawn due to Applicant's amendment of paper number 14.

### **35 USC 103**

Applicants argue that claim 1 is patentably distinguishable over the prior art of Harandi et al because there is no "inlet line into said reactor from a source of catalyst" and that neither Harandi et al nor the other art of the rejection provide separate lines for feeding feedstock alone and catalyst alone into the reactor.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., separate lines for feeding feedstock alone and catalyst alone into the reactor) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the

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specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicants state only that a second inlet line is from a source of catalyst and do not claim the functionality of the second inlet line. Inlet line (11) as presented by the Examiner in paper number 11 is from an FCC Unit (10), which contains a catalyst and is therefor a source of catalyst with which line (11) is in communication.

Further, Harandi et al teach separate feed (210) and catalyst (250) inlet lines into reactor (220) which relates to reactor (20) of the rejection of paper number 11.

Applicant's arguments regarding the rejection of claims 3 and 6 are directed toward the inlet lines of Harandi et al as addressed above.

The 35 USC 103 rejection of claims 1-2 and 4-5 over Harandi et al as presented in paper number 11 is maintained.

The 35 USC 103 rejection of claim 3 over Harandi et al in view of Lashier et al as presented in paper number 11 is maintained.

The 35 USC 103 rejection of claim 6 over Harandi et al in view of Mehra et al as presented in paper number 11 is maintained.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Alexa Doroshenk, whose telephone number is (703) 305-0074.

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The examiner can normally be reached on Monday-Friday from 8:30 AM - 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marian Knode, can be reached on (703) 308-4311.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

AAD

May 8, 2000

*Marian C. Knod*  
**MARIAN C. KNODE**  
**SUPERVISORY PATENT EXAMINER**  
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